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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/704,073	11/01/2000	Ludovic Hauduc	06576.105030-MS No. 15466	3930
25096	7590	12/07/2004	EXAMINER LIN, WEN TAI	
PERKINS COIE LLP PATENT-SEA P.O. BOX 1247 SEATTLE, WA 98111-1247			ART UNIT 2154	PAPER NUMBER

DATE MAILED: 12/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/704,073

Applicant(s)

HAUDUC ET AL.

Examiner

Wen-Tai Lin

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/3/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 11-28 are presented for examination. Claims 1-10 have been canceled and claims 11-28 are newly added.

2. The text of those sections of Title 35, USC code not included in this action can be found in the prior Office Action.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 11-14, 16, 18-22 and 24-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Frerebeau et al.[U.S. PGPub 20030135501].

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5. As to claims 11-12, Frerebeau teaches the invention as claimed including: a computer-readable medium having computer-executable instructions for performing steps relating to converting to a preferred language supplemental content of an application received from a server, the steps performed at a client [paragraphs 101-106], comprising:

- determining the preferred language [paragraph #9; e.g., the preferred language can be determined by the client's native language];

- providing an indication of the determined preferred language to the server;

- receiving the application from the server, wherein the application is received in the preferred language [2-4, Fig. 1; paragraphs 24-25; 30-35; i.e., relatively static content is translated at the server (note that paragraph#30 indicates that the modules 2-4 can be located at the same machine)];

- downloading a language pack corresponding to the preferred language, the language pack comprising localized strings and string identifiers associated with the localized strings [paragraphs 101-105, wherein the localization tool establishes the translation files in accordance with the method provided at paragraphs 58-60, wherein each tagged portion is associated with a unique identifier] ;

- retrieving supplemental content of the application from the server, the supplemental content having identifiers for localizable strings;

- finding a localizable string identifier of the retrieved supplemental content in the downloaded language pack, wherein the finding includes matching the localizable string

identifier of the supplemental content with a localized string identifier of the downloaded language pack; and

utilizing a localized string corresponding to the found localizable string identifier to provide localized supplemental content [paragraphs 101-106].

6. As to claim 13, Frerebeau further teaches that the language pack further comprises a component object and the finding is performed by the component object [paragraph 105; i.e., the JavaScript localization tool is the component object].

7. As to claim 14, Frerebeau further teaches that the determining includes receiving an indication of an explicit language preference [note that this is an inherent step otherwise the tool wouldn't know what is the target language in the dynamic translation process (see also paragraph 107)].

8. As to claim 16, Frerebeau further teaches that the downloading includes downloading a component object [paragraphs 104 and 110].

9. As to claims 18-19, Frerebeau further teaches that a script operating at the client retrieves the supplemental content and provides the localized supplemental content [paragraphs 103-106. Note that there must be a portion of the Javascript code issuing requests for translation (which is performed at a component object focusing on the translation itself) whenever a supplemental content is encountered].

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10. As to claims 20-22 and 24-28, since the features of these claims can also be found in claims 11, 13, 16 and 18-19, they are rejected for the same reasons set forth in the rejection of claims 11-14, 16 and 18-19 above.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 15, 17 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frerebeau et al.(hereafter "Frerebeau")[U.S. PGPub 20030135501], as applied to claims 11-14, 16, 18-22 and 24-28 above, further in view of Official Notice.

13. As to claim 15, Frerebeau does not specifically teach the determining includes determining a language of an operating system of the client.

However, Official Notice is taken that using the client's operating system language as a default language for the client is well known in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the client's operating system language as a target language when no translation software module corresponds to the language preference, because a client must understand his/her local computer's OS language in order to interacting to a remote site.

14. As to claim 17, Frerebeau teaches that the supplemental content is portions of codes in HTML to be generated dynamically on the client end [paragraph 101].

Frerebeau does not specifically teach that the supplemental content is a pop-up menu.

However, Official Notice is taken that it is well known in the art to use a pop-up menu for providing dynamic selection of items. Thus it is obvious to one of ordinary skill in the art to have included pop-up menu for Frerebeau's dynamic translation because by doing so only those associated with the selected items need to be translated at the client.

15. As to claim 23, since the features of this claim can also be found in claims 11, 17 and 20, it is rejected for the same reasons set forth in the rejection of claims 11, 17 and 20 above.

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Alexander; et al. [U.S. Pat. No. 5986654]; and

Tso; et al. [U.S. Pat. No. 6421733].

17. Applicant's arguments with respect to claims 11-28 on 9/3/2004 have been considered but are moot in view of the new ground(s) of rejection.

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

19. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday (8:00-5:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:


(703)872-9306 for official communications; and

(571)273-3969 for status inquires draft communication.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

November 28, 2004


11/29/04